



IAP3 Rec'd PCT TO 16 FEB 2006

Docket No.: 0760-0345PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ryoji YOSHII et al.

Application No.: 10/526,014

Confirmation No.: N/A

Filed: February 25, 2005

Art Unit: N/A

For: MEDICINAL COMPOSITION FOR
PERIDONTAL POCKET ADMINISTRATION
CONTAINING BISPHOSPHONIC ACID
DERIVATIVE OR ITS SALT AS THE ACTIVE
INGREDIENT

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated December 16, 2005,
Applicant respectfully submits:

- ☒ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).
- ☒ Attached is the Executed Declaration and Power of Attorney ☒ Original ☐ Photocopy.
- ☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on February 25, 2005, including any amendments thereto (if applicable) filed on even date therewith.
- ☒ The undersigned hereby declares that "Attorney Docket No. 0760-0345PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No. 10/526,014 filed

Application No.: 10/526,014

Docket No.: 0760-0345PUS1

February 25, 2005 entitled "MEDICINAL COMPOSITION FOR PERIDONTAL POCKET ADMINISTRATION CONTAINING BISPHTHONIC ACID DERIVATIVE OR ITS SALT AS THE ACTIVE INGREDIENT."

☒ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

X See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

☐ Attached are 0 sheet(s) of drawings. Please substitute these replacement drawings for the corresponding 1 sheet(s) of drawings on file in the above-identified application.

☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

☒ Attached is a preliminary amendment.

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

☐ Attached is a Supplemental Application Data Sheet (ADS).

☐ Submitted concurrently herewith under separate cover for recording is an Assignment.

☐ Attached is a Petition for Extension of Time.

Application No.: 10/526,014

Docket No.: 0760-0345PUS1

☒ The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on February 25, 2005.

☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 16, 2006

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment(s)

03/13/2006 KNCLEAN1 00000012 022448 10526014
01 FC:1616 360.00 DA

Rec'd PCT/PTO 16 FEB 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,014	Ryoji Yoshii	0760-0345PUS1

INTERNATIONAL APPLICATION NO.

PCT/JP03/10940

I.A. FILING DATE

PRIORITY DATE

08/28/2003

08/29/2002

02292
 BIRCH STEWART KOLASCH & BIRCH
 PO BOX 747
 FALLS CHURCH, VA 22040-0747

CONFIRMATION NO. 4186

371 FORMALITIES LETTER



OC000000017260664

DOCKETED

Perfect 2-16-06
Eng translation

Date Mailed: 12/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/25/2005
- Copy of the International Search Report filed on 02/25/2005
- Copy of IPE Report filed on 02/25/2005
- Information Disclosure Statements filed on 02/25/2005
- U.S. Basic National Fees filed on 02/25/2005
- Priority Documents filed on 02/25/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,014	PCT/JP03/10940	0760-0345PUS1

FORM PCT/DO/EO/905 (371 Formalities Notice)

Rec'd CT/PTO 16 FEB 2006

AMENDMENT TRANSMITTAL LETTER				Docket No. 0760-0345PUS1	
Application No. 10/526,014	Filing Date February 25, 2005	Examiner Not Yet Assigned	Art Unit N/A		
Applicant(s): Ryoji YOSHII et al.					
Invention: MEDICINAL COMPOSITION FOR PERIDONTAL POCKET ADMINISTRATION CONTAINING BISPHOSPHONIC ACID DERIVATIVE OR ITS SALT AS THE ACTIVE INGREDIENT					
MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	18	- 20 =		x	
Independent Claims	1	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>02-2448</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
Andrew D. Meikle Attorney Reg. No.: 32,868				Dated: February 16, 2006	
BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 Gatehouse Road Suite 100 East P.O. Box 747 Falls Church, Virginia 22040-0747 (703) 205-8000					

CERTIFICATE OF VERIFICATION

I, Hidejiro TANIGAWA of 4-13-802, Fujimi 2-chome,
Chiyoda-ku, Tokyo 102-0071, Japan, state that the
attached document is a true and complete translation
to the best of my knowledge of International Patent
Application No. PCT/JP2003/010940.

DATED this 7th day of April, 2005

Signature of translator



Hidejiro TANIGAWA